

# THE TEACHING ABOUT RELIGION AT SLOVENE PUBLIC SCHOOLS

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The teaching about religion at public schools in Slovenia is, from a legal point of view, similar to that in France or USA<sup>1</sup> and at the same time, different from that of the majority of European countries where the laws guarantee religious instruction within the framework of the public school. According to the Slovene Constitution, there is a separation of Church and State. For this reason religious instruction at the public school is explicitly prohibited by the school laws.<sup>2</sup> Formerly that was completely different. Before the Second World War, religious instruction was not only an obligatory school matter at the public school, but it was also regarded as base and crowning of public education. The answer that can explain why religious instruction and religion were treated thus can be found in the conception that today is still frequently defended, and according to which, there are no morals independent of religion, and consequently no education independent of religion, because there is no education without morals. After the Second World War this conception was no longer acceptable to the Yugoslav State, of which Slovenia formed an integral part, because the official ideology was Marxism. But in spite of the change of the dominant ideology and the separation of Church and State, religious instruction at school was tolerated until 1952. From then on, religious instruction was expelled from the school and was organized by the Churches in ecclesiastical buildings. Only exceptionally was it organized inside school premises, but always separate from regular classes. At public school, religious instruction was replaced by civic and moral education.

The communist party required the exact same thing of schools that the Catholic Church had prior; that all school subjects, even mathematics and the natural sciences, be permeated with their ideology, once of Catholicism, and now Marxism. It was a case of ideologically directed teaching, which excluded

all facts contrary to its doctrines. In this vision of the school (school as an ideological apparatus), which was common to the Catholic Church and the Communist Party, there was no place for neutral teaching, which characterized, to a certain extent, the idea of the French secular public school or *l'école laïque*. Neutral teaching was necessarily condemned because "if teaching consecrates a doctrine, it consequently condemns all those which are different".<sup>3</sup> But in the Seventies, certain representatives of the Catholic Church in Slovenia started to defend the idea of the neutral school in the name of human rights, which the Catholic Church condemned until the Vatican Council II (1962-1965).

The Catholic Church's criticism of the school, as an agency of Marxist indoctrination, seems more justified considering that from the end of the Second World War until 1991, private schools were prohibited in Slovenia, except for seminaries and theological faculties. By this fact, it is completely clear that the government did not respect the "liberty of the parents (...) to choose for their children schools, other than those established by the public authorities". This freedom of the parents, which comes from their right "to ensure religious and moral education of their children in conformity with their own convictions", is guaranteed by the International Covenant on Economic, Social and Cultural Rights.<sup>4</sup> After 1991, existence of the private school is again authorized thanks to the new concept of the educational system in Slovenia, which is founded on the basis of human rights and other political, cultural and moral values which lie at the root of a civilized society (pluralist democracy, tolerance, solidarity and the rule of law).<sup>5</sup> From that point on the State shall respect the right of the parents, to choose that their children attend private schools. In this manner one can, in principle, also choose denominational schools in which religious and moral education is in conformity with the convictions of the parents of the pupils. But this right of the parents, which is very significant, poses a large problem, the problem of the religious freedom of the pupil. Until what moment can the parents choose the religion of their children without, at the same time, violating the right of the child, his "right to the freedom of thought, conscience and religion", which is registered in article 14 of the International Convention of the rights of the child. Does the State in this case have to respect the rights of the parents or the rights of the children? No matter the answer, it should be noted that there is an insolvable problem because of the contradiction between the two rights in their practical application.<sup>6</sup>

The second problem involved in this right of the parents is the consequence of a false interpretation, according to which, the parents have the right to require religious instruction at public schools. This right does not

appear in the international documents on human rights. During this time the Slovene Catholic Church used the public school, which was secular in Slovenia, as a target for attacks because it excluded religious instruction as well as all other religious practices (prayer, mass etc.). These attacks provoked the anticlericalism, which the Church retroactively interprets as proof of hatred towards the Church and not as a reaction to its attacks on secularity (*laïcité*) within the framework of the public school.

The point of misunderstanding could also be article 26 of the Universal Declaration of Human Rights, where we can read, "Education shall be directed to the full development of the human personality ...".<sup>7</sup> The question that arises here is with knowing if the full development of the human personality presupposes a religious dimension or not. For the Catholic Church, for example, according to which, man is from his nature, a religious being, even if this religious dimension is not conscious, the answer is of course affirmative. But it is, at the same time, an offence for those who do not accept being considered incomplete men because they are not religious people. For them the answer is, of course, negative.

With regard to the reform of the public education system, the major change on the level of the obligatory school is, without any doubt, the introduction of optional school subjects. Each school must offer at least six in the seventh, eighth and ninth year, or the last three years obligatory schooling. The optional disciplines will have the function of looking further into and enriching obligatory teaching. Each pupil should choose three from the six optional subjects. Among other possibilities, the pupil can also choose to learn about religions and ethics. It should be a nonconfessional subject that allows each pupil, whatever his personal conviction, to deepen and widen his knowledge of the religious facts that he had acquired within the framework of the obligatory subjects. The contents of this specific subject, named "Religions and ethics", are divided into three parts which correspond to what must be taught in the last three years of obligatory schooling. To these obligatory topics are added the optional topics from which the teachers and the pupils can choose. The principal religious topics would be the following:

In seventh year of schooling:

- *obligatory topics are:* World religions, Christianity, Islam, and Buddhism.
- *optional topics are:* Judaism, Hinduism, Taoism, Confucianism, new religious movements and traditional religions.

In eighth year of schooling:

- *obligatory topics are:* religious culture, rites, symbols and the religious communities, religions and the problem of evil, sin, death and the direction of life, ethical prospects for the religions.
- *optional topics are:* Churches, sects and monastic communities, relations between Church and State, magic and occultism.

In ninth year of schooling:

- *obligatory topics are:* Christianity and Western civilization, the Bible (Old and New Testaments), Catholicism, Orthodoxy, Protestantism, Enlightenment, Christianity in Slovenia, religions and the sense of life, religious freedom and freedom of conscience.
- *optional topics are:* religious tolerance, wars of religion, science and religious belief, atheism and humanism.

As for the contents of this discipline, which was prepared by a team of experts (including theologians), it should be stressed that until now the contents were not objects of criticism. The object of mistrust and quarrel is, on the other hand, the introduction of "Religions and ethics" as a discipline specific to public schools. For those who do not agree with the introduction of this new subject, it is only "masked religious instruction", a Trojan horse allowing the return of the Church to the public school. For the Catholic Church, the teaching of this subject "Religions and ethics" is unacceptable because it is nonconfessional. In other words, it is unacceptable because it is the teaching about religions and not the teaching of a particular religion, and especially, because everything concerning this subject (the training of the teachers, preparation of the programs and handbooks and the follow-up) is in the competence of the official institutions of the State, as is the case in all other school matters, and not in the competence of the Catholic Church itself, as it wants.

In conclusion, we can say that in Slovenia we will have two forms of the teaching about religions at the obligatory and secular public school: firstly, as a specific subject, optional and nonconfessional, secondly, as an integral part of some other subjects, in particular, civic and moral education, history and literature.

## Notes

- [1] France and the USA are countries whose constitution entails complete separation of Church and State. The consequence is that no confessional religious education is allowed in public schools. But this does not mean that the religion as such is removed from the curriculum of public schools, because the teaching *about* religion is permitted.
- [2] The religious instruction is allowed only exceptionally (under certain conditions) in public schools during non-instructional time. In private schools, which are also conceived as institutions that should meet the specific requirements of those parents who want to educate their children in accordance with specific religious, moral and philosophical convictions, the religious instruction is, of course, permitted.
- [3] O. Rebolul, *L'endoctrinement*, PUF, Paris 1977, p. 57.
- [4] Article 13 paragraph 3. The International Covenant on Economic, Social and Cultural Rights was adopted by General Assembly res 2200 a (XXI) on December 16, 1966. The Yugoslav State ratified it in 1971 and it went into force on January 3, 1976.
- [5] "The European dimension of education: teaching and curriculum content"; "Résolution de la Conférence permanente des Ministres européens de l'Éducation sur 'la dimension européenne de l'éducation: pratique de l'enseignement et contenu des programmes'", *Newsletter / Faits nouveaux*, Council of Europe, Strasbourg 1991/5, p. 3, 5.
- [6] Since both child and parents have the same right, the question arises as to who really has it when talking about the right to being educated in accordance with the right to "freedom of thought, conscience and religion". Until The Convention on the Rights of Children was accepted, it was clear that that right had been given to parents, although it had been, as The Declaration on abolishing all forms of intolerance and discrimination based on religion or convictions, written as the right of the child to be educated, in terms of religion or conviction, according to his/her parents' wishes. However, if now, according to The Convention on the Right of Children, it can be concluded that a child's right to freedom of thought, conscience and religion also implies a right that he/she is educated according to his/her religious beliefs, than a state can secure that child's right only by violating the right of the parents. Similarly, the right of the parents can only be secured by violating the right of the child.
- [7] The same formulation is written in the International Covenant on Economic, Social and Cultural Rights (Article 13.1).

